

Date of Signature

Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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(Only for new nonprovisional applications under 37 CFR 1.53(b))

0052.01

Craig A. Shoemaker et al.

Modified Live *Flavobacterium Columnare* Against Columnaris Disease in Fish

EK 419816454 US

See MPEP chapter 600 concerning utility patent application contents.

Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
 2. ☐ Applicant claims small entity status.
See 37 CFR 1.27. 2.
 3. ☒ Specification [Total Pages 21]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
 4. ☐ Drawing(s) (35 U.S.C. 113) [Total Sheets]
 5. ☒ Oath or Declaration [Total Pages 2]
 - a. ☒ Newly executed (original or copy)
 - b. ☐ Copy from a prior application (37 CFR 1.63 (d))
(for continuation/divisional with Box 17 completed)
 - i. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s)
named in the prior application, see 37 CFR
1.63(d)(2) and 1.33(b).
 6. ☒ Application Data Sheet. See 37 CFR 1.76
 7. ☐ CD-ROM or CD-R in duplicate, large table or
Computer Program (Appendix)
 8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
 - a. ☐ Computer Readable Form (CRF)
 - b. ☐ Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☐ paper
 - c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS	
9.	<input checked="" type="checkbox"/> Assignment Papers (cover sheet & document(s))
10.	<input type="checkbox"/> 37 CFR 3.73(b) Statement <input type="checkbox"/> Power of Attorney (when there is an assignee)
11.	<input type="checkbox"/> English Translation Document (if applicable)
12.	<input type="checkbox"/> Information Disclosure <input checked="" type="checkbox"/> Copies of IDS Statement (IDS)/PTO-1449 Citations
13.	<input type="checkbox"/> Preliminary Amendment
14.	<input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15.	<input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed)
16.	<input checked="" type="checkbox"/> Nonpublication Request Under 35 USC 122(b)(2)(B)(i). Applicant must attach form PTO/SB/55

ACCOMPANYING APPLICATION PARTS

9. ☒ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure ☒ Copies of IDS
Statement (IDS)/PTO-1449 Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☒ Nonpublication Request Under 35 USC
122(b)(2)(B)(i). Applicant must attach form
PTO/SB/35 or its equivalent.
17. ☐ Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation Divisional Continuation-in-part (CIP) ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No. _____

Prior application information: Examiner: _____ Group/Art Unit: _____

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

☒ *Customer Number or Bar Code Label*

25712

34.526

Date 12/12/01

(Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.)

FEE TRANSMITTAL FY2002

Total Amount of Payment **\$ 780.00**

Complete If Known

Application Number: New
Filing Date: December 12, 2001
First Named Inventor: Craig A. Shoemaker et al.
Examiner Name:
Group/Art Unit:
Attorney Docket Number: 0052.01

Method of Payment

1. The Commissioner is hereby authorized to charge any fees set forth in CFR §§ 1.116 to 1.118 to the Deposit Account listed below for the entire pendency of the application, or credit any overpayment to this account. A duplicate copy of this sheet is enclosed:

Deposit Account Number: **01-0455**

Deposit Account Name: **USDA-ARS-OTT**

Fee Calculation:

1. Basic Filing Fee

Large Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	740.00	Utility Filing Fee	740.00
106	330.00	Design Filing Fee	
107	510.00	Plant Filing Fee	
108	740.00	Reissue Filing Fee	
114	160.00	Provisional Filing Fee	
SUBTOTAL (1)			\$ 740.00

2. Extra Claim Fees

	Extra Claims	Fee From Below	Fee Paid
Total Claims 15 - 20** =	- X	18.00 =	-
Independent			
Claims 1 - 3** =	- X	84.00 =	-
Multiple			
Dependent	- X	=	-

** On number previously paid, if greater; For Reissues, see below

Large Fee Code	Entity Fee (\$)	Fee Description
103	18.00	Claims in excess of 20
102	84.00	Independent claims in excess of 3
104	280.00	Multiple dependent claims, if not paid
109	84.00 **	Reissue independent claims over original patent
110	18.00 **	Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) \$

FEE CALCULATION (Continued)

3. Additional Fees

Large Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130.00	Surcharge - late filing fee or oath	
127	50.00	Surcharge - late provisional filing fee or cover sheet	
139	130.00	Non-English specification	
147	2,520.00	For filing a request for examination	
112	920.00*	Requesting publication of SIR prior to Examiner action	
113	1,840.00*	Requesting publication of SIR after Examiner action	
115	110.00	Extension for reply within first month	
116	400.00	Extension for reply within second month	
117	920.00	Extension for reply within third month	
118	1,440.00	Extension for reply within fourth month	
128	1,960.00	Extension for reply within fifth month	
119	320.00	Notice of Appeal	
120	320.00	Filing a brief in support of an appeal	
121	280.00	Request an oral hearing	
138	1,510.00	Petition to institute a public use proceeding	
140	110.00	Petition to revive - unavoidable	
141	1,280.00	Petition to revive - unintentional	
142	1,280.00	Utility issue fee (or reissue)	
143	460.00	Design issue fee	
144	620.00	Plant issue Fee	
122	130.00	Petitions to the Commissioner	
123	50.00	Petitions related to provisional applications	
126	180.00	Submission of Information Disclosure Statement	
581	40.00	Recording each patent assignment per property (times number of properties)	\$ 40.00
146	740.00	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740.00	For each additional invention to be examined (37 CFR § 1.129(b))	

Other Fee (specify) _____

Other Fee (specify) _____

* Reduced by Basic Filing Paid -

SUBTOTAL (3) \$ 40.00

Submitted By					
Name (Print/Type)	Joseph A. Lipovsky	Registration No. (Attorney/Agent)	34,526	Telephone	309/681-6514 309/681-6688 FAX
Signature	Joseph A. Lipovsky			Date	12/12/01

Fees current as of 10/01/2001

Express #	EK 419816454 US
I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail in an envelope addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231 on	
December 12, 2001 (Date of Deposit)	
Joseph A. Lipovsky Name of Depositor	
Joseph A. Lipovsky Signature	
12/12/01 Date of Signature	

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

NONPUBLICATION REQUEST UNDER 35 U.S.C. 122(b)(2)(B)(i)	First Named Inventor	Craig A. Shoemaker et al.
	Title	Modified Live <i>Flavobacterium Columnare</i> Against Columnaris Disease in Fish
	Atty Docket Number	0052.01

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

12/12/01

Date



Signature

Joseph A. Lipovsky

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, D.C. 20231.